



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/209,620	02/05/98	GOULVEN	

VERNOIS GOULVEN
1 RUE DES CHALETS
78140 VELIZY
FRANCE

MM11/0316

AIR MAIL

EXAMINER

NGUYEN, T

ART UNIT	PAPER NUMBER
----------	--------------

2872

DATE MAILED: 02/16/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/809,620

Applicant(s)
Vernois Goulven

Examiner
Thong Q. Nguyen

Group Art Unit
2872



☐ Responsive to communication(s) filed on _____.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire ~~month(s)~~ thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-43 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☐ Claim(s) _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☒ Claims 1-43 are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2872

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in response to this action, to elect a single invention to which the claims must be restricted.

Group I, claims 2-12, 15-17 and 42-43, drawn to a mechanical system having blind cylinder, tubes, protecting jackets, for supporting three stories of a telescope and for controlling the shape and position of a mirror attached to one of the storey.

Group II, claims 14, 18-21, 38 and 40-41, drawn to a system having a specific liquid-filled-container with electrodes and fiber (or rigid) supports for controlling the membranes of the mirror and an actuating device for actuating the mirror.

Group III, claims 23-29, 31 and 39, drawn to a system of optical components such as mirrors and image receiving system used in a telescope wherein the mirrors have specific features concerning their shapes and its structure which mirrors are arranged in a specific arrangement.

Group IV, claims 13, 30, 32-36 and 37, drawn to a telescope having a set of photoelectric matrix, bandpass filter, and screen with specific structures.

Art Unit: 2872

Note: Claims 1 and 22 are considered as linking claims, and thus these claims will be examined with the elected invention.

2. The inventions listed as Groups I-IV do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: 1) Each of the features recited in one group is not recited in other groups. For instance, the features concerning the mechanical system having blind cylinder, protecting jackets, etc. of Group I are not defined/recited in each of Groups II-IV; the features concerning the membranes of the mirror and its actuating device of Group II are not defined/recited in each of Groups I and III-IV; the features concerning the optical components of Group III are not defined/recited in each of Groups I-II and IV.

3. A telephone call was made to Goulven Vernois on 03/12/99 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Conclusion

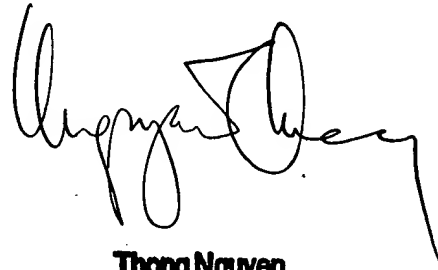
Art Unit: 2872

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exam. Nguyen whose telephone number is (703) 308-4814. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722 (or 7724).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Nguyen

03/15/99

A handwritten signature in black ink, appearing to read 'Thong Nguyen', with a stylized flourish at the end.

Thong Nguyen
Primary Examiner